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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

GREAT NORTHERN INSURANCE  
COMPANY, as subrogee of Katten  
Muchin Rosenman LLP,

Plaintiffs,

v.

CHRONOMITE LABORATORIES,  
INC., a, California Corporation;  
FLUIDMATER, INC., a California  
Corporation; and DOES 1 through 50,

CASE NO. 4:20-cv-00746-PJH

**PARTIES' STIPULATION TO  
REMAND CASE TO STATE COURT  
\*\*AS MODIFIED BY THE COURT\*\***

1 inclusive,

2 Defendants.

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9 **STIPULATION OF THE PARTIES TO REMAND CASE TO STATE**  
10 **COURT**

11 WHEREAS, on December 3, 2019, Plaintiffs GREAT NORTHERN  
12 INSURANCE COMPANY, as subrogee of Katten Muchin Rosenman LLP filed  
13 their Complaint for Damages in the Superior Court of the State of California, in and  
14 for that County of Alameda, Case No. RG19045359;

15 WHEREAS, on or about January 31, 2020, Defendant FLUIDMASTER, INC.  
16 filed in state court both an answer to Plaintiff's Complaint and a Cross-Complaint;

17 WHEREAS, on or about January 31, 2020, FLUIDMASTER, INC. filed in  
18 the United States District Court, the Northern District of California, Notice of  
19 Removal of Action under 28 U.S.C. § 1441(b) on the basis of diversity of Plaintiffs  
20 and Defendants, assigned Case No. :4:20-cv-00746-PJH.

21 WHEREAS, unless the parties stipulate to remand this case to state court,  
22 Plaintiff GREAT NORTHERN INSURANCE COMPANY and Defendant  
23 CHRONOMITE LABORATORIES, INC., have advised that, pursuant to 28 U.S.C.  
24 § 1447(c), they will file a Motion to remand because removal solely based upon  
25 diversity jurisdiction is defective and improper under 28 U.S.C. § 1441(b)(2);


26 WHEREAS, in exchange for FLUIDMASTER, INC.'S stipulation to remand,  
27 Plaintiff GREAT NORTHERN INSURANCE COMPANY and Defendant  
28

1 CHRONOMITE LABORATORIES, INC., will waive any monetary or other  
2 sanctions against FLUIDMASTER, INC.;

3 Therefore, the parties, Plaintiff GREAT NORTHERN INSURANCE  
4 COMPANY, Defendant CHRONOMITE LABORATORIES, INC., and Defendant  
5 FLUIDMASTER, INC., acting by and through their respective counsel of record, do  
6 hereby stipulate to remand this case to the Superior Court of the State of California,  
7 in and for that County of Alameda, Case No. RG19045359.


8  
9 DATED: March 12, 2020

SKANE WILCOX LLP

10  
11 By:   
12 Wendy L. Wilcox, Esq.  
13 John G. Wilcoxson, Esq.  
14 Attorneys for Defendant  
15 FLUIDMASTER, INC.


16 DATED: March 23, 2020

KULUVA, ARMIJO & GARCIA

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18  
19 By: \_\_\_\_\_  
20 Steven H. Yuster, Esq.  
21 Attorneys for Plaintiff  
22 FEDERAL INSURANCE COMPANY

23  
24 DATED: March 24, 2020

SELMAN BREITMAN LLP

25  
26 By:   
27 Brendan B. Penney, Esq.  
28 Attorneys for Defendants CHRONOMITE  
LABORATORIES, INC.

1 **(PROPOSED) ORDER PURSUANT TO THE STIPULATION OF THE**  
2 **PARTIES TO REMAND UNITED STATES DISTRICT COURT,**  
3 **NORTHERN DISTRICT OF CALIFORNIA CASE NO. 4:20-cv-00746-PJH**  
4 **TO THE SUPERIOR COURT OF CALIFORNIA IN AND FOR THE**  
5 **COUNTY OF ALAMEDA, CASE NO. RG19045359**

6 Pursuant to the stipulation of the parties, by and through their respective  
7 counsel of record, it is hereby ordered that United States District Court, Northern  
8 District of California, Case No. ~~4:20-cv-00689-PJH~~ \*4:20-cv-0746-PJH\* is hereby  
9 remanded to the Superior Court of California in and for the County of Alameda,  
10 Case No. RG19045359.

11 DATED: April 3, 2020

/s/ Phyllis J. Hamilton

12 Judge of the United States District Court  
13 Northern District of California  
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